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**HIGH COURT OF CHHATTISGARH, BILASPUR**

**Writ Petition (S) No. 6149 of 2007**

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| **PETITIONER** | | Devendra Kumar Sharma, aged about 57 years, S/o Late Shri Ramanand Sharma Assistant Director/Sam Pariksha Adhikari, Panchyat and Social Welfare Department, Directorate Raipur, District Raipur(CG) |
| | | ***Versus*** |
| **RESPONDENTS** | 1 | State of Chhattisgarh Through the Secretary Panchyat and Rural Development Department, D.K.S. Bhawan Mantralaya, Raipur (C.G.) |
| | 2 | State of Chhattisgarh Through the Secretary Panchyat and Social Welfare Department, DKS Bhawan, Mantralaya, Raipur(CG) |
| | 3 | The Principal Secretary General Administration Department, DKS Bhawan, Mantralaya, Raipur(CG) |
| | 4 | The Joint Secretary Panchyat and Rural Development Department, DKS Bhawan, Mantralaya, Raipur (CG) |
| | 5 | The Director Panchyat and Social Welfare Department, Directorate, DKS Bhawan, Mantralaya, Raipur(CG) |

**WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA**

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**Appearance:**

Shri J.N. Nande, counsel for the petitioner.

Shri Ajay Dwivedi, Panel for the State on advance copy.

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**ORAL ORDER**
**(17.10.2007)**

**SUNIL KUMAR SINHA, J.**

Heard on admission.

The petitioner, who is working on the post of District Auditor, has been posted at District Panchayat Office, Kanker on

administrative grounds. The order is dated 28.9.2007(Annexure P/7).

Learned counsel for the petitioner argues that previously the petitioner was working as C.E.O., Janpad Panchayat, Khairagarh, District Rajnandgaon and on 26.9.2006(Annexure P/4), he was brought to Raipur and thereafter, he has been posted at Kanker. He submits that this is a frequent action against the petitioner.

I have considered the point raised by learned counsel for the petitioner.

The argument is misconceived. A perusal of the order dated 26.9.2006 would show that after repatriation, the petitioner was posted at Raipur and thereafter, a fresh posting has been given to him for Kanker, therefore, this would not amount to frequent transfer. In fact, this is a posting after the repatriation.

In the facts and circumstances of this case, there does not appear to be any malafide, extraneous consideration or violation of any statutory Rule or the Act in the matter of the petitioner.

The petition has no merits. The same is dismissed at the motion stage itself.

**Sd/-**
**Sunil Kumar Sinha**
**Judge**

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